

CRM-M-47649-2023 (O&M)
Date of decision : 14.11.2023

...Petitioner

Versus

...Respondent

Present : Mr. P.K.S.Phoolka, Advocate,
for the petitioner.

Mr. C.L.Pawar, Additional Advocate General, Punjab,
for the respondent.

MAHABIR SINGH SINDHU, J.

Petition under Section 438 of the Code of Criminal Procedure, 1973, has been filed for grant of pre-arrest bail to the petitioner in FIR No.0118 dated 11.09.2023, under Sections 420, 465, 467, 468, 471 and 34 of the Indian Penal Code, 1860, registered at Police Station Sangat, District Bathinda.

2. Above FIR was registered on the basis of statement made by one Akashdeep with the allegations that petitioner, along with one Lakhvir Singh, has cheated him on the pretext of getting him employment in post office on payment of Rs.2,00,000/- and received Rs.90,000/- in lieu thereof from him.

3. This Court, on 21.09.2023, granted interim bail to petitioner and relevant part of the same is recapitulated as under:-

“Contends inter-alia that no amount has gone into the account of petitioner; nor there is any other criminal case pending against him.

Notice of motion for 14.11.2023.

In the meanwhile, petitioner shall join investigation before the Investigating Officer. In the event of his arrest, the Arresting Officer would admit him to interim bail, till the next date of hearing, on furnishing adequate bail and surety bonds to his satisfaction. The petitioner shall also abide by all the conditions as envisaged under Section 438(2) of Code of Criminal Procedure, 1973.”

4. Contends that in terms of the aforesaid order, petitioner has already joined investigation and his custodial interrogation is not required.

5. Above factual position is duly acknowledged by learned State Counsel, on instructions from ASI Gurpreet Singh, and further stated that custodial interrogation of the petitioner is not required at this stage.

6. In view of the above, interim order dated 21.09.2023 is made absolute subject to the conditions as envisaged under Section 438(2) Cr.P.C.

7. It is also made clear that petitioner shall fully co-operate with the Investigating Officer as and when called for further investigation.

8. The above observations may not be construed as an expression of opinion on merits of the case; rather confined only to decide the present bail matter.

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9. Disposed off accordingly.

14.11.2023
adhikari

(MAHABIR SINGH SINDHU)
JUDGE

Whether speaking / reasoned :	Yes	No
Whether Reportable :	Yes	No